

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of

Facilitating the Deployment of Text-to-911  
and Other Next Generation 911 Applications

Framework for Next Generation 911  
Deployment

PS Docket No. 11-153 and 10-255

**COMMENTS OF FAIRFAX COUNTY, VIRGINIA  
ON SECTION III.A**

The County of Fairfax, Virginia, submits these comments in response to the Further Notice of Proposed Rulemaking to Facilitate the Deployment of Text-to-911 and Other Next Generation 911 Applications (“Text-to-911 FNPRM”) adopted by the Commission on December 12, 2012. The Text-to-911 FNPRM solicited comment on proposed rules that will enable Americans to send text messages to 9-1-1 (“text-to-911”) and that will educate and inform consumers about the future availability and appropriate use of text-to-911. Fairfax County’s comments respond to Section III.A of the Text-to-911 FNPRM. Specifically, Fairfax County comments herein on (1) the Commission’s proposal to require all CMRS providers and other providers of text messaging services to send automated “bounce back” error messages to consumers attempting to text-to-911 when the service is not available and (2) public education about text-to-911 capability, particularly the questions posed by the Commission about the feasibility of allowing consumers to test the functionality of text-to-911 in their devices. Fairfax County is reviewing other elements of the Text-to-911 FNPRM and may comment separately on other aspects of text-to-911 in accordance with the filing deadlines established in the FNPRM.

## **I. Rule to Require Carriers to Provide “Bounce Back” Messages.**

Fairfax County supports the proposed rule to require CMRS providers and other third-party providers of text messaging services (including providers of interconnected text services) to always automatically notify consumers attempting to text-to-911 where text-to-911 is not supported or in other instances where the text cannot be transmitted to the 9-1-1 Public Safety Answering Point (“PSAP”). Fairfax County agrees with the Commission that the voluntary compliance of some carriers or making it a recommended Best Practice is insufficient. Notice to individuals who are attempting to send an emergency text that their message will not be received by the PSAP is critical to public safety. It is vital that people facing emergencies be immediately informed if their texts-to-911 are not answered, either because text-to-911 is unavailable or when the carrier is unable to transmit the text to the PSAP serving the texting party’s location. Valuable response time to an emergency can be wasted if a text-to-911 does not respond back to persons alerting them to seek other options to reach 9-1-1 because text-to-911 is not available where the current emergency exists. Fairfax County also supports requiring the “bounce back” message to be a consistently worded and standardized message, and encourages the Commission to work with the appropriate standards and industry associations to develop the specific wording of a concise, accurate, and meaningful “bounce back” error message.

## **II. Public Education About Text-to-911 Capability.**

Fairfax County agrees that public education about this new capability to text-to-911 is of vital importance in both the near and long term. As the Commission has observed, “9-1-1 service is a vital part of our nation's emergency response and disaster preparedness system.”<sup>1</sup> Therefore, any new proposed technology to access the 9-1-1 system requires thorough evaluation

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<sup>1</sup> FCC Encyclopedia; 9-1-1 and E9-1-1 Services, <http://www.fcc.gov/encyclopedia/9-1-1-and-e9-1-1-services> (last visited Jan. 26, 2013).

and testing to ensure that the service providers, the PSAPs, and the public are ready to use such new capability in a manner that safeguards the safety of individuals and first responders. The decision to implement this technology must be driven by the readiness of all parties involved in the public safety chain or the effort will fail due to a weak, or unready, link.

The costs of such public education efforts and the primary responsibility to conduct public education should be borne by the carriers and other providers of text-to-911 with support from the Commission or other governmental entities. Local PSAPs are already under considerable restraints on available 9-1-1 funding to meet current operational needs. Providers of text-to-911 and national public safety associations such as the National Emergency Number Association (NENA), the Association of Public-Safety Communications Officials (APCO) International, and the National Association of State 911 Administrators (NASNA) can provide meaningful input to the content and delivery mechanisms that are appropriate to reach all communities. One element of such public education could emulate the “push messages” that telecommunication providers send their customers via email, text message, and the like to alert them that their “monthly allocated usage minutes have reached 50% of their agreed plan for the month.” Using “push messages” to provide targeted and appropriately timed text-to-911 capability reminders and “helpful hints” would be a simple and effective method of educating the public in a meaningful and repeatable fashion.

### **III. “Tests” of Text-to-911 Functionality.**

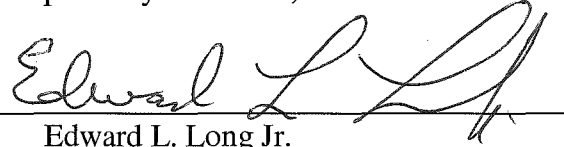
Fairfax County does not support providing consumers a broad open-ended capability to test the functionality of their texting device. Rather, providers of text-to-911 should develop a testing capability that would allow consumers to test their devices by sending a test message that does not require PSAP personnel to answer each test text message. For practical, operational

considerations, the volume of text test messages might be above the level of incoming messages that most PSAPs could respond to without diverting resources away from true emergency calls. In addition, the liability considerations PSAPs apply to respond to all incoming communications present a challenge in establishing priorities and responding in a timely fashion to test messages at a lower priority. Individuals' expectations for a timely response to a test text-to-911 might not align with a PSAP directing test messages to a lower priority queue for processing which might undercut confidence in the effectiveness of text-to-911 as a viable tool for use in a real emergency.

#### **IV. Conclusion.**

The move toward implementing text-to-9-1-1 requires that the PSAPs be aware of the details of how such a service will be provided in order to plan for operational and technical changes to process such calls. Eventually, most, if not all, PSAPs will make the decision to receive text messages, at a time when their equipment is upgraded and their personnel are ready to begin processing text message calls. The PSAPs, working under current and projected funding constraints, will need additional funding from the federal level in order to upgrade their equipment and train their 9-1-1 call takers to receive text messages. We look forward to continued involvement in these endeavors and look toward opportunities to provide further input to these industry efforts.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Edward L. Long Jr.", written over a horizontal line.

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January 29, 2013